



6712-01

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 13-86; DA 13-581]

FCC Reduces Backlog of Broadcast Indecency Complaints By 70% (More than ONE MILLION COMPLAINTS); Seeks Comments on Adopting Egregious Cases Policy

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Federal Communications Commission Enforcement Bureau and Office of General Counsel seek comment on whether the full Commission should make changes to its current broadcast indecency policies or maintain them as they are. For example, should the Commission treat isolated expletives in a manner consistent with its decision in Pacifica Foundation, Inc. or instead maintain the approach to isolated expletives set forth in its decision in Complaints Against Various Broadcast Licensees Regarding Their Airing of the “Golden Globe Awards” Program? As another example, should the Commission treat isolated (non-sexual) nudity the same as or differently than isolated expletives? Commenters are invited to address these issues as well as any other aspect of the Commission’s substantive indecency policies.

DATES: Written comments may be filed on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Reply comments may be filed on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. See Supplementary Information.

FOR FURTHER INFORMATION CONTACT: Eloise Gore, Associate Bureau Chief, Enforcement Bureau, at (202) 418-1066 or Jacob Lewis, Associate General Counsel, Office of the General Counsel, at (202) 418-1767. Please direct press inquiries to Mark Wigfield at (202) 418-0253.

SUPPLEMENTARY INFORMATION: Each document that is filed in this proceeding must display the docket number of this Notice, GN Docket No. 13-86, on the front page. The Public Notice, DA 13-581, released April 1, 2013, is available for inspection and copying from 8 a.m. until 4:30 p.m., Monday through Thursday or from 8 a.m. until 11:30 a.m. on Friday at the FCC Reference Information Center, Portals II, Room CY-A257, 445 12th Street, SW, Washington, DC 20554. The complete text of the Public Notice may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone (800) 378-3160, facsimile (202) 488-5563, e-mail FCC@BCPIWEB.com, or you may contact BCPI via its website, <http://www.bcpweb.com>. When ordering documents from BCPI, please provide the appropriate FCC document number DA 13-581. The Public Notice is also available on the Internet at the Commission's website through its Electronic Document Management System (EDOCS) at http://hraunfoss.fcc.gov/edocs_public/. Alternative formats are available to persons with disabilities (Braille, large print, electronic files, audio format); to obtain, please send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For purposes of this proceeding, we are establishing a new docket, GN Docket No. 13-86.

All comments should refer to GN Docket No. 13-86.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹ Persons making oral *ex parte* presentations are reminded that

¹ See 47 CFR 1.1200, 1.1206.

memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.² Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission's rules.³

FEDERAL COMMUNICATIONS COMMISSION.

Eloise Gore
Associate Chief, Enforcement Bureau

[FR Doc. 2013-09274 Filed 04/18/2013 at 8:45 am; Publication Date: 04/19/2013]

² See 47 CFR 1.1206(b).

³ *Id.*